

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**COMMONWEALTH ANNUITY AND LIFE)
INSURANCE COMPANY,)**

Plaintiff,)

v.)

CIVIL ACTION NO. 18-CV-01418

**THE ESTATE OF EFRAÍN JIMÉNEZ-)
AYALA, YARITZA JIMÉNEZ-SANTIAGO,)
WILLIAM JIMÉNEZ-SANTIAGO,)
MÁXIMA BRUNO DIFFO, and RENÉ)
APONTE-CARATINI,)**

Defendants.)

MOTION FOR ENTRY OF ORDER TO DISCHARGE INTERPLEADING PLAINTIFF

TO THE HONORABLE COURT:

COMES NOW plaintiff in Interpleader, Commonwealth Annuity and Life Insurance Company (“Commonwealth” or “Plaintiff”), by and through its undersigned legal counsel, and respectfully requests as follows:

1. Commonwealth filed its *Motion to Discharge Interpleading Plaintiff Commonwealth Annuity and Life Insurance Company from Further Prosecution in this Case* on February 4, 2019 (the “Motion for Discharge”). See, Docket No. 15.

2. The Motion for Discharge was properly notified upon parties-in-interest, and no objections or oppositions have been filed to the Motion for Discharge to date.

3. Given that the response deadline to the Motion for Discharge has already passed without any objection having been filed, after having been afforded proper notice to parties thereto, Commonwealth thus respectfully requests that the Motion for Discharge be granted and that Commonwealth be discharged and dismissed from further prosecution in this case; that it be released from any liability to Defendants, their heirs, assigns, and beneficiaries; and that each of

the Defendants, their heirs, assigns, beneficiaries, and attorneys be permanently restrained or enjoined from instituting or prosecuting any action or proceeding against Commonwealth for the benefits and the proceeds of the Policy, or from seeking a determination as to the person(s) lawfully entitled to the proceeds thereof other than among themselves in the above-styled case.

WHEREFORE, Commonwealth respectfully prays this Court to grant the *Motion to Discharge Interpleading Plaintiff Commonwealth Annuity and Life Insurance Company from Further Prosecution in this Case* (Docket No. 15) and enter judgment as follows:

- a) That Commonwealth be released and discharged from any and all liability to Defendants, their heirs, assigns, and beneficiaries thereof;
- b) That each of the Defendants herein, their heirs, assigns, beneficiaries, and attorneys be permanently restrained or enjoined from instituting or prosecuting any action or proceeding against Commonwealth for the benefits and the proceeds of the Policy issued on the life of the Decedent, or from seeking a determination as to the person(s) lawfully entitled to the proceeds thereof other than among themselves in the above-styled case; and

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 26th day of March, 2019.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion was served on this date by United States First Class mail, postage prepaid, upon the following parties or their counsel:

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